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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|-----------------------|---------------------|------------------|
| 09/837,041 | 04/18/2001 | Terrence Ross O'Brien | ROC920000304US1 | 9205 |
| 7590 | 01/13/2005 | | EXAMINER | |
| Gero G. McClellan Thomason, Moser & Patterson, L.L.P. 3040 Post Oak Boulevard, Suite 1500 Houston, TX 77056-6582 | | | FADOK, MARK A | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3625 | |

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/837,041 | O'BRIEN ET AL. | |
| | Examiner | Art Unit | |
| | Mark Fadok | 3625 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 22 October 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-4 and 8-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-4 and 8-12 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 18 April 2001 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>5-3-2004</u> | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Response to Election

The examiner is in receipt of applicant's response to election requirement mailed 9/28/2004, which was received 10/22/2004. Acknowledgement is made to applicant's election of Group IA, which includes claims 1,2,3,4,8,9,10,11 and 12 with traverse. The applicant argues that that the restriction is improper because the examiner has not shown by way of example that one of the subcombinations has separate utility other than in the discloses combination. The examiner has plainly cited in the previous office action that subcombination Group II has separate utility from the Group I combination (see MPEP 806.05(c)I). Further, the applicant argues that the species requirement is improper because the species are not mutually exclusive because they are shown together in drawing FIGURE 4. However, as is disclosed in the specification at page 11, para 0044, the use of the front end gateway is not required in one system and is provided in another system in a quite different embodiment.

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "308" and "404" have both been used to designate the "front-end gateway". Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The

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replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance. Correction of the specification is also required.

Examiner's Note

Examiner has cited particular columns and line numbers or figures in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1-4, and 8-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Meltzer et al (6,125,391).

In regards to claim 1, Meltzer discloses a system for handling eCommerce requests, comprising: (a) at least one application configured to process a request in a transformed format (Fig 4),

wherein the request is received from one of a plurality of requesting entities in an original format and mapped to the transformed format (Fig 9);

(b) at least one specification document configured to produce metadata defining a relationship between data of the request in the original format and data of the request in the transformed format (Fig 9); and

(c) a flow manager configured to utilize the metadata to map the request in the original format to the request in the transformed format and to call the at least one application (Fig 13).

In regards to claim 2, Meltzer teaches wherein the metadata comprises a plurality of metadata instances each configured to support a different request protocol (col 32, lines 12-55).

In regards to claim 3, Meltzer teaches wherein the data of the request in the original format comprises fields and wherein the metadata maps the fields to input fields of the at least one application (Fig 4).

In regards to claim 4, Meltzer teaches wherein the request is a purchase order and the data comprises fields of the purchase order (Fig 10).

In regards to claim 8, Meltzer teaches wherein the original format comprises cXML, mXML, XCBL, OCI, ebXML (col 84, lines 15-35).

In regards to claim 9, Meltzer teaches wherein the at least one specification document comprises at least one of:

message formatting rules comprising definitional data and configured to define an association between the definitional data and the data of the request in the original format (Fig 15);

an access method configured to define an interface to the at least one application; and

a process flow model configured to associate the message formatting rules and the access method instance and comprising mapping rules configured to map input fields of the request in the original format to input fields of the at least one application.

In regards to claim 10, Meltzer teaches wherein the association is between a first plurality of fields of the definitional data and a second plurality of fields of the data of the request in the original format (Fig 15).

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In regards to claim 11, Meltzer teaches wherein each access method is configured to support applications of a particular application type (see response to claim 9).

In regards to claim 12, Meltzer teaches wherein the particular application type comprises at least one of program calls, JAVA programs, and queue applications (see response to claim 9).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Mark Fadok** whose telephone number is **(703) 605-4252**. The examiner can normally be reached Monday thru Thursday 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Wynn Coggins** can be reached on **(703) 308-1344**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Receptionist** whose telephone number is **(703) 308-1113**.

Any response to this action should be mailed to:

Commissioner for Patents

P.O. Box 1450

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or faxed to:

(703) 872-9306 [Official communications; including
After Final communications labeled
"Box AF"]

(703) 746-7206 [Informal/Draft communications, labeled
"PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal
Drive, Arlington, VA, 7th floor receptionist.



Mark Fadok

Patent Examiner